



**Billing Code 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XE525**

**Endangered and Threatened Species; Take of Anadromous Fish**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice; availability of hatchery plan and request for comment.

**SUMMARY:** Notice is hereby given that the California Department of Fish and Wildlife (CDFW) has submitted a Hatchery and Genetic Management Plan (HGMP) pursuant to the protective regulations promulgated for Pacific salmon and steelhead under the Endangered Species Act (ESA). The HGMP specifies the operation of a hatchery program rearing steelhead in the Mad River subbasin within the State of California. This document serves to notify the public of the availability of the HGMP and associated draft environmental assessment (EA) for comment prior to a decision by NMFS whether to approve the proposed hatchery program.

**DATES:** Comments must be received at the appropriate address or fax number (see

**ADDRESSES)** no later than 5 p.m. Pacific time on [*insert date 30 days after date of publication in the FEDERAL REGISTER*].

**ADDRESSES:** Written comments on the application should be addressed to the NMFS NOAA Fisheries West Coast Region California Coastal Office, 1655 Heindon Road, Arcata, California 95521, or faxed to 707-825-4840. Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is: *MadRiverHatcheryPlan.wcr@noaa.gov*. Include in the

subject line of the e-mail comment the following identifier: Comments on the Mad River hatchery plan.

**FOR FURTHER INFORMATION CONTACT:** Dan Free, at phone number: (707) 825-5126, or via e-mail: *dan.free@noaa.gov*.

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

Chinook salmon (*Oncorhynchus tshawytscha*): threatened, naturally produced and artificially propagated California Coastal.

Coho salmon (*O. kisutch*): threatened, naturally produced and artificially propagated Southern Oregon/Northern California (SONCC).

Steelhead (*O. mykiss*): threatened, naturally produced and artificially propagated Northern California.

**Background**

CDFW has submitted to NMFS an HGMP describing a hatchery program that releases steelhead into the Mad River, in northern California, for consideration pursuant to limit 5 of the ESA 4(d) rule for salmon and steelhead.

The hatchery program that is the subject of the NMFS evaluation would operate to provide steelhead for harvest in freshwater recreational fisheries in the Mad River. The program would propagate steelhead that are derived from the local steelhead population in the Mad River, ensuring that at least half of the MRH winter-run steelhead spawning pairs are hatchery spawned natural-origin and to match natural-origin steelhead with their natural counterparts whenever possible. Measures would be applied in the hatchery program to reduce the risk of incidental

adverse genetic, ecological, and demographic effects on natural-origin steelhead and salmon populations.

As specified in the July 10, 2000, ESA 4(d) rule for salmon and steelhead (65 FR 42422) and updated June 28, 2005 (70 FR 37160), NMFS may approve an HGMP if it meets criteria set forth in 50 CFR 223.203(b)(5)(i)(A) through (K). Prior to final approval of an HGMP, NMFS must publish notification announcing its availability for public review and comment.

### **Authority**

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as she deems necessary and advisable for the conservation of species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. Limit 5 of the updated 4(d) rule (50 CFR 223.203(b)(5)) further provides that the prohibitions of paragraph (a) of the updated 4(d) rule (50 CFR 223.203(a)) do not apply to activities associated with artificial propagation programs provided that an HGMP has been approved by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005).

Dated: March 23, 2016.

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[FR Doc. 2016-06943 Filed: 3/25/2016 8:45 am; Publication Date: 3/28/2016]